



REPLY TO  
ATTENTION OF

**DEPARTMENT OF DEFENSE**  
**UNITED STATES SOUTHERN COMMAND**  
**3511 NW 91ST AVENUE**  
**MIAMI, FL 33172-1217**

\*SC Regulation 27-3

15 November 2000

Effective Upon Receipt

**Legal Services**

**DEPARTMENT OF DEFENSE LAW OF WAR PROGRAM**

1. **PURPOSE.** To implement the Department of Defense (DOD) Law of War Program. The provisions of this regulation apply to all U.S. military personnel assigned to or under the administrative jurisdiction of Headquarters U.S. Southern Command (HQ USSOUTHCOM), its Component Commands, Joint Commands, and Security Assistance Organizations (SAOs) within the USSOUTHCOM area of responsibility (AOR).

2. **REFERENCES.** DOD Directive 5100.77, "DOD Law of War Program," December 9, 1998.

3. **POLICY.** DOD has directed the implementation of a program to ensure that the Armed Forces of the U.S. observe the law of war. The law of war encompasses all international law for the conduct of hostilities binding on the United States or its individual citizens, including treaties and international agreements to which the United States is a party, and applicable customary international law. The DOD Law of War Program specifically requires that:

- a. Rules of engagement and related plans are in conformance with the law of war.
- b. Personnel are trained and programs developed to prevent violations of the law of war.
- c. Allegations that the law of war has been violated are promptly reported, thoroughly investigated, and where well founded, remedied by corrective action.

4. **RESPONSIBILITY.**

a. **USSOUTHCOM Staff.**

(1) The Staff Judge Advocate (SCSJA) will ensure that all plans, policies, directives, and rules of engagement issued by USCINCSO, component commands, joint commands, and SAOs are in conformance with the law of war, and are reviewed by servicing judge advocates for consistency with U.S. domestic and international law of armed conflict.

---

\*This regulation supersedes SC Reg 27-3, Dated 18 Sep 1991

(2) The SCSJA shall monitor the investigation and resolution of allegations that the law of war has been violated. The SCSJA shall report, by the most expeditious means available, all reportable incidents to the Chairman of the Joint Chiefs of Staff, and the Secretary of Defense.

(3) The SCSJA shall supervise the administration of those aspects of the program dealing with possible, suspected, or alleged enemy violations of the law of war, as outlined in DOD Directive 5100.77.

(4) USCINCSO shall determine the extent and manner in which a reportable incident not involving U.S. or enemy persons will be investigated by U.S. forces. SCSJA shall ensure that such incidents are reported promptly to appropriate U.S. agencies, allied governments or other appropriate authorities. (USCINCSO may delegate his responsibilities under this paragraph to the DCINC).

(5) The SCSJA shall conduct periodic reviews to ensure that the law of war training and dissemination programs of the component commands are consistent with DOD Directive 5100.77 and the law of war obligations of the United States.

b. Component Commands, Joint Commands and SAOs. The component, joint and SAO commanders shall:

(1) Ensure that all rules of engagement and applicable plans, policies, and directives provide for the proper conduct of military operations in accordance with the law of war. Plans shall provide for the prompt reporting, investigation, and evaluation of any allegations that violations of the law of war have been committed. Copies of rules, plans, and directives necessary to implement this paragraph shall be submitted to HQ USSOUTHCOM (Attn: SCSJA).

(2) Conduct investigations of all alleged or suspected violations of the law of war. Once it has been determined that U.S. persons are not involved in a reportable incident, any additional investigation shall be continued only at the direction of USCINCSO. On-scene commanders shall ensure that measures are taken to preserve evidence of reportable incidents pending turnover to U.S., allied, or other appropriate authorities.


(3) Forward all initial reports of investigation of alleged violations to HQ USSOUTHCOM (Attn: SCSJA).

(4) Institute necessary training programs to prevent violations of the law of war. Copies of implementing programs shall be submitted to HQ USSOUTHCOM (Attn: SCSJA).

The proponent agency of this regulation is U.S. Southern Command. Users are invited to send comments and suggested improvements directly to HQ USSOUTHCOM, ATTN: SCSJA, 3511 NW 91<sup>st</sup> Avenue, Miami, Florida 33172

FOR THE COMMANDER IN CHIEF:

OFFICIAL:  
JERRY C. McABEE  
Brigadier General, U.S. Marine Corps  
Chief of Staff

  
CHARLES D. BOWKER  
Colonel, USAF  
Adjutant General

DISTRIBUTION  
D